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A Family Divided by 2 Words, Legal and Illegal

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<http://www.nytimes.com/2009/04/26/nyregion/26immig.html>

Audio segment: <http://www.nytimes.com/interactive/2009/04/25/nyregion/family/index.html>

For the father, the choice was obvious: An engineer with several jobs yet little money, he saw no future for his daughter and son in their struggling country, Ecuador. Eight years ago, he paid coyotes to smuggle him into Texas, then headed to New York, where his wife and children flew in as tourists, and stayed.

But the consequences of that clear-cut decision — the immigrant's perennial impulse to uproot for the sake of the next generation — have been anything but simple.

The daughter excelled in her Queens high school and graduated from college with honors, but at 22 is still living in this country illegally. So while her former accounting classmates hold lucrative corporate jobs and take foreign vacations, she keeps the books for a small immigrant-run business, fears venturing outside the city and cannot get a driver's license in the country she has come to love.

Meanwhile, her 17-year-old brother, who was born in the United States during an earlier stay and is thus an American citizen, enjoys privileges his family cannot, like summers in Ecuador with his cousins. But bored and alone most afternoons, he declared last fall that he wanted to move back to the old country.

"How can he even think that?" said his mother, stunned. "We're sacrificing ourselves so he can get a better education and a better job. After giving up everything to come here, he — the only one with papers — wants to go back?"

These four — who let a reporter and a photographer trail them only if they were not identified, for fear of being deported — are part of a growing group of what are often called mixed-status families. Nearly 2.3 million undocumented families, about three-quarters of those who are here illegally, have at least one child who is a United States citizen, according to the [Pew Hispanic Center](#). Nearly 400,000 of them have both citizen and noncitizen children.

Their ranks are fed by the unending tide of illegal [immigration](#), and by federal laws that deny legal status to foreign-born children — who had no say in moving here — while granting citizenship to their American-born siblings.

And as their numbers rise, they are challenging the most stubborn stereotypes of 21st-century immigrants: that they fit neatly into separate groups — legal or illegal, here to stay or bent on returning home. That they are mostly men on their own, making independent choices.

In fact, most immigrants live in families, with a blend of legal statuses, opportunities and dreams. To spend time with this Queens family is to see, up close, how the growing disparities within immigrant homes are pulling their members in opposite directions and complicating efforts to plan a common future.

The four are now split between two households, and between those who expect to stay and those who would return to Ecuador — a tally that keeps shifting. The daughter, despite tireless efforts to get ahead, feels she is losing ground and worries that her brother takes his citizenship for granted. The son, despite his freedom, carries the weight of his family's highest hopes.

Their status is also mixed in less obvious ways. The mother, 47, who gave up her fledgling career in Ecuador as a computer systems analyst and now baby-sits for a living, has not had anywhere near the same opportunities in this country as the father, also 47, who found rewarding work as a draftsman. Increasingly dissatisfied, she has tried in vain to leverage her son's citizenship to get a green card granting her permanent residency.

Still, they are a loving family, and better off than many illegal immigrants, making a comfortable life in a city that welcomes foreigners, with or without papers. The parents are among a rising proportion of illegal immigrants with higher educations — at least one in every four are believed to have had some college —



abandoning careers back home to try to vault their children into the American middle class in a single generation.

Yet as each year brings new setbacks, they hear the clock ticking and push their children harder. For all the daughter's high ambitions, the mother never misses a chance to point out a simple solution to her career impasse: find an American husband.

One Saturday night last month, the family gathered to celebrate the daughter's 22nd birthday in a Chinese restaurant where most of the tables were filled for a raucous wedding reception. As they waited under the swirling disco lights for dishes of pork and seafood, the parents asked the children about their plans — for school, for work, for life.

The son was characteristically vague, saying only that he wanted to attend college. The daughter, as usual, had her future worked out in fine detail: graduate school, community work, a life of service and independence.

But they could barely be heard above the dance music pounding through the restaurant. As a toast was raised to the bride and groom, the din grew louder. Dozens of guests clinked their spoons on glasses.

The mother grinned and leaned in close to the daughter. If she were to be married, "that's how it would be," the mother suggested. "Everybody making noise."

The daughter looked away in silence.

A Costly Education

The girl was smart, very smart. At age 7, she was working the cash register at her parents' small office-supply shop in Ecuador. By 9, she was absorbed in math, poring over her schoolwork long after everyone else had gone to bed.

And as she neared her 14th birthday, the father began to think the unthinkable: taking the family back to the United States to put her through college.

They had been here before. After graduating at the top of his class from the polytechnic university in Quito, he had moved to New York in 1986 — legally, on a student visa — for graduate studies in engineering at City College, intending to return home to his wife.

But when the couple learned she was pregnant with their first child, he dropped out and took a factory job — violating the terms of his visa — then arranged to have his wife and baby daughter smuggled into Texas and spirited to New York, where he felt he could best provide for them.

"I knew I was passing into illegality," said the father, a trim, youthful man with an engineer's matter-of-fact manner. "It was a very difficult decision to make. But I had to support them."

In time, they moved to Miami and had the son, born an American citizen. But their hopes of a prosperous American life eluded them, and in 1992 they returned to Ambato, the agricultural hub in Ecuador where the father had grown up.

And now, as their daughter raced through Catholic school there, skipping two grades and outpacing her classmates, the father worried about the quality of schooling in Ecuador, where the economy was slipping into chaos. He resolved to give her, and her brother, the American education he never completed.

His own father — a man with a third-grade education who supported 10 children and became chief of the repair shops for Ecuador's national railroad — blessed the move back to the United States. The old man had taught him to do whatever it took to provide for the family. "He always said you should go to bed thinking about what you were going to do tomorrow," he said.

His wife's father, however, had a different motto: Always keep the family together. She was crushed at the prospect of leaving hers, a close-knit clan of urban professionals who begged her to stay.

Her first American sojourn had been ego-crushing for her, a college graduate working in a mattress factory where West Indian supervisors addressed her as "muchacha." Girl.

"Do you know what this is like?" asked the mother, a woman of quiet poise. "To be around so many uneducated people? But I had to be with my husband."

'I'm Going to Seattle'

They arrived in New York in 2001. The father found work with a Queens construction company owned by Chinese immigrants, taking precise measurements at work sites and turning them into computerized drawings. He makes more than he would in Ecuador, and enjoys the chance to showcase his skills and get around the city, into well-appointed offices and high rises.

The mother, meanwhile, cares for children in cramped apartments not nearly as nice as the rambling,

modern house she grew up in.

The discrepancies between their lives frayed an already strained relationship; they separated four years ago. The children spend most weekdays with their father, in the narrow attic of a dark house in Elmhurst, Queens, owned by his brother, a legal resident who arrived in the 1970s. On weekends, they take the subway and a bus to the basement apartment their mother rents in another Queens neighborhood, Bayside.

All the work and shuttling around leave the family little time together. Sometimes the father takes the son to soccer games, where he and other immigrants talk about friends who have gone home or died. The mother speaks regularly with her three sisters in Ecuador by webcam, and fills her iPod with melancholy songs from her homeland. As the most adventurous of the sisters — the first to learn to drive — she feels a growing restlessness.

Coming home from a meditation class one Sunday in February, she had barely removed her coat when she jolted the children with an announcement: “I think I’m going to Seattle.” A friend in class had told her that Washington did not require a [Social Security](#) number to obtain a driver’s license.

The daughter was alarmed, fearing her mother could be arrested on the trip. But the mother pressed ahead, buying plane tickets for herself and her son. She asked the daughter to help her find a hotel.

Instead, the daughter stayed up one night talking to a friend who had gotten a Washington license, who said the mother would have to pay \$3,000 for forged documents attesting to her residency and employment. First thing the next morning, the daughter called her mother. “There’s no way you can qualify,” she said. “There’s too much danger that you can be caught.”

The mother reluctantly agreed to forget the trip, and the hundreds of dollars she lost on airfare.

“My hopes are dead,” she said recently. “Right now we’re just focused on the education of the children and their future. Let them reach their goals and have their dreams.”

Firstborn, Second Class

On her days off, the daughter occasionally rewards herself with a concert or a meal out. But one afternoon in a noisy Colombian restaurant in Jackson Heights, her eyes strayed from her coffee cup to the sidewalks along Roosevelt Avenue, crowded with illegal immigrants who toil in kitchens or clean homes.

“I used to think I was different because I went to college,” said the daughter, who speaks softly and can still pass for a high school junior. “But I’m no better than anyone else. Like them, I don’t have my documents. So I’m just one among millions.”

She is also among an estimated 65,000 young people who graduate from American high schools each year without immigration papers, according to the Urban Institute, a nonpartisan research group in Washington, D.C. Like many children brought into the country illegally by their parents, she began to understand just what that meant when she approached a high school guidance counselor about college.

“She asked me for my Social Security number,” the daughter recalled. “She said she couldn’t help me with applications without one. So I went home and asked my father for it. He told me, ‘Oh, you don’t have one.’ ”

She quickly learned the other things she would not have: the scholarships her teachers had assured her she would win, the chance to attend a college out of state, or any hope of softening the consequences of her parents’ move. It is nearly impossible for an illegal immigrant child to become a legal resident without going back to the native country, then waiting a requisite 10 years to apply.

For the daughter, that is out of the question. “All my friends are here,” she said. “All I know is here. If I returned, I’d be lost.”

Scholars who study illegal immigrant families say it is usually the older children who recognize their parents’ sacrifice and work hardest to achieve. But those are the same children most likely to have been born abroad.

Luckily for the daughter, she lives in New York, one of 10 states that allow illegal immigrants to pay resident tuition rates at public universities. With \$5,000 a year from her father and a baby-sitting job, she attended a highly ranked college in the [City University of New York](#), posting a 3.8 grade point average in accounting.

But the young woman so adept with numbers still lacked the Social Security number needed just to file an application for a job or summer internship. So as her friends — many of them children of immigrants with papers — landed \$70,000-a-year jobs, she scoured college bulletin boards for a small business willing to risk hiring her for half that.

“Sometimes I felt like crying or screaming,” she said. “Some of my friends knew why I didn’t apply for

corporate jobs. But other people who didn't know would criticize and judge me. They thought I was lazy or stupid not to apply."

She was eventually hired as a bookkeeper by a small firm that provides immigrants — the dark humor is not lost on her — with information on visas and government policy. She is paid on the books, thanks to the tax identification number the federal government provides to people without Social Security numbers, and she pays taxes — \$2,000 on this year's federal return.

Though overqualified and underpaid for the job, she rarely complains. Instead, she and her boyfriend — a college student from Mexico who is also in the country illegally — spend their free time volunteering with the [New York State Youth Leadership Council](#), an immigrant group pushing Congress to pass the [Dream Act](#), which would grant legal status to high school graduates who were brought to the United States by their parents.

Her mother prefers a quicker solution: Dump the boyfriend and marry an American. "The ends justify the means," the mother said. "I tell her, 'Think about it with a clear head. If it doesn't go well, you could always separate.' "

At first, the daughter was aghast at the notion of marrying for reasons other than love. But as another spring arrives with no change in immigration policy, she has begun to waver.

"I'm thinking, it might be worth giving it a try because this is so frustrating," she said. "It's actually getting to me."

'He's a King'

Above a plastic heart dangling from the wall, two photographs in the mother's apartment neatly sum up the passions of her children. The daughter stands, beaming, in cap and gown. The son, in shorts, goofs around with his cousins on a South American beach.

The son is tightly tied to Ecuador. As the only family member who can travel freely, he has spent three summers there, playing soccer and going to amusement parks with cousins, including two boys he has grown so close to that everyone calls the trio "Los Compadres." Back in New York, he sends them messages constantly via e-mail and [Facebook](#).

He seems far less emotionally connected to Queens, where he comes home after school to an empty apartment to do homework. His mother frets about him. "He needs the warmth of family," she said.

But the family, here and in Ecuador, insists he stay in the United States. "As a citizen, all doors are open for him," the mother said. "He knows there is a difference, that he can do what we cannot."

Their hopes for him sometimes edge into impatience. As mother and daughter watched "Hairspray" one Saturday afternoon, the son dozed in his dark bedroom.

"He's a king," said the mother, who wishes he would take a part-time job, for the discipline and spending money. "In Ecuador, nobody works until they graduate from college. But we're in the United States now, and a different society has different customs. He should work."

"He wants to work," the daughter insisted. "But my father won't let him. He wants him to study."

Indeed, the father has counseled him not to be lured by the quick money that leads other neighborhood boys to drop out of school to work at delis or construction sites for \$500 a week. Concerned that the son's grades have slipped, he closely follows his schoolwork, meeting often with teachers.

The daughter watches over him, too. In many mixed-status families, siblings clash: The older child, without papers, often has to work harder to succeed and resents the privileges the younger child enjoys as a citizen — especially if he seems not to be taking advantage of them, said Walter Barrientos, a founder of the Youth Leadership Council.

The daughter speaks of her brother with obvious affection. But as he remained out of earshot in the other room, she vented a mounting frustration.

She had taken him to meetings of the youth group, but he showed little interest in helping its campaign for the Dream Act. "He doesn't see how difficult it is for us not having documents," she said. "And he sees how it is for me — I can't go back to Ecuador or get a better job. It's unfortunate, when somebody close to his heart is suffering."

She feared that as a high school junior, he was nearing graduation without a serious plan. "Knowing I couldn't get a scholarship, that pushed me even more — it pushed me to work hard," she said. "For him, he has all the possibilities, but he's not thinking. It's hard to understand what he's thinking."

In some ways, he is just a typical 17-year-old, stingy with words. His thinking has actually changed: Over the last few months, he has stopped talking about a return to Ecuador and started exploring the notion of

studying architecture at an American college.

But he has also dropped hints that he feels the pressure many citizen children of illegal immigrants experience.

“Maybe they expect too much of me,” he confided. “But my family wanted me to come here. It’s better for me, and better for my sister.”

Half a world away, the sunny duplex apartment the family built during their last stay in Ambato sits vacant, though filled with their possessions – family photos, the son’s action figures, the daughter’s books – as if awaiting their return. Relatives beseech them to come back, even promising jobs to sweeten the offer.

The parents resist their pleas. They have not come this far, sacrificing their own careers and comforts, to miss seeing their children succeed in America.

If that day comes, both parents say they will gladly return to their homeland – even the father whose firm decision brought them all to the United States. Ecuador is the land he loves. New York is only the means to an end.

“I crashed a party I was not invited to, and one day I’ll be asked to leave,” he said. “I know. This is a place to work. Not to die.”